

recommended, and that such applicant is competent to teach, and qualified to teach all of such branches."

Also strike out words "of such examination," lines 18 and 19, page 9.

Adopted.

SENATOR BURNEY

Moved to adjourn 'till 10 o'clock to-morrow morning.

Lost.

SENATOR CALHOUN

Moved to

Amend section No. 61, by inserting therein after the word "enacted" in line 7 the following:

"The citizens of the district or community must contribute of their labor and means an amount at least equal to the school fund so used and,"

Adopted by the following vote:

YEAS—12.

Bell,	Harrison,
Burney,	Lane,
Calhoun,	McDonald,
Claiborne,	Terrell,
Davis,	Woods.
Gregg,	Woodward.

NAYS—9.

Abercrombie.	Garrison,
Camp,	Glasscock,
Douglass of J,	Knittle,
Douglass of G.	MacManus,
Field,	

ABSENT—8.

Armistead,	Jarvis,
Burges,	Pope,
Frank,	Sinkins,
Houston,	Stinson

SENATOR GREGG

Moved to

Amend section 71, by inserting before the word "Angelina," in line 3, page 6, the word "Anderson."

Adopted.

SENATOR DOUGLASS OF JEFFERSON,

Moved to adjourn till 9:30 to-morrow morning,

And

SENATOR WOODS

Moved to adjourn till 10 o'clock to-morrow morning.

The motion to adjourn to the longest time off was put first.

Lost.

The motion to adjourn till 9:30 was also lost.

SENATOR WOODWARD

Moved to

"Amend section 71, page 7, by adding after the word 'Stephens,' in line 10, the word 'Starr.'"

Adopted.

SENATOR M'DONALD.

Moved to

Amend section 43a, by striking out all from the beginning of the section down to and including the word "election" in line 4 and inserting in lieu thereof, the following:

"The office of county superintendant of public instruction is hereby created and the county commissioners court of any county in this State may, when in their judgment it may be advisable, (provide for the election at each general election)" and also by striking out the words "upon the creation of such offices," in line 8 and 9, and inserting in lieu thereof the following, 'when they so provide for the election of a county superintendent.'"

SENATOR GREGG

Offered the following amendment,

Amend by striking out the words "provide for their election at each general election," and insert in lieu thereof the following: "Appoint such superintendent."

On motion of Senator Douglass of Grayson,

The Senate adjourned till 10 o'clock to-morrow morning,

SIXTY-SEVENTH DAY.

SENATE CHAMBER, }  
AUSTIN, March 29, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by Chaplain, Dr. Smoot.

On motion of Senator McDonald,

The reading of the journal of yesterday dispensed was with.

BILLS AND RESOLUTIONS.

BY SENATOR MACMANUS:

A bill to be entitled,

“An act to amend title 15, chapter 9, of the Penal Code by adding thereto the following Article:

Referred to Judiciary Committee No. 2.

SENATOR GLASSCOCK

Offered the following resolution:

Whereas, The session of the present Legislature is drawing to a close, and there will be important matters to have attended to after the adjournment, as the indexing of the Journals, preparation of an errata, preparing and depositing the unfinished business of the session in the State Department, having the Journals bound and distributed, etc., and,

Whereas, Said business has been attended to from the days of the Republic down to the present time by the Secretary of the Senate, therefore be it

Resolved by the Senate of the Twentieth Legislature, That the Secretary of the Senate be retained for fifty days to index the Journals, prepare an errata, arrange the unfinished business and deposit it in the State Department for future reference, prepare a list of the captions of the bills passed at this session of the Legislature and have published in the last day's Journals, have a copy of the Journals bound for each one of the Senators and the Lieutenant Governor and one each for the widows and families of Hon. George Pfeuffer and E. F. Hall, deceased Senators, and to send them to the parties herein named, and to each one of the Officers and Representatives etc., a copy of the unbound journal and to all other acts and things required of him the said secretary. The secretary to be paid the same as he is now for this extra service and that the other things be paid for out of the contingent fund of the Legislature.

GLASSCOCK.

The resolution was ordered to lie over.

SENATOR BELL

Sent up the following amendment to the resolution:

Resolved, That the first assistant secretary be retained for twenty days after the adjournment of the present session to assist the secretary in indexing the journals and that he receive for his services the sum five dollars per day to be paid out of the contingent expense fund.

The amendment was ordered to lie over with the resolution.

## STANDING COMMITTEES.

SENATOR FIELD

Sent up the following report:

COMMITTEE ROOM,  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—A majority of your Committee on Judiciary No. 1, to whom was referred Senate bill No. 345, entitled:

“An act to regulate prosecutions and civil suits for libel,” have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

FIELD,

For majority of Senate Committee.

SENATORS GLASSCOCK AND TERRELL

Gave notice of filing minority report.

BY SENATOR HARRISON:

COMMITTEE ROOM,  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims to whom was referred House bill No. 463, entitled:

“An act for the relief of the heirs of Alexander Farmer, deceased,” have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass with the following amendment.

“Section 2. Amend by striking out all after the word “Texas,” down to and including the word ‘sale’ and insert in lieu thereof the following “not heretofore appropriated or reserved from location.”

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private land claims, to whom was referred

House bill No. 606, entitled:

“An act for the relief of Annie Meyer, Jno. J. Meyer, Nettie Meyer, Julius C. Meyer, Eli Meyer and D. H. Meyer, heirs at law of J. J. Meyer, deceased,” have had the same under considera-

tion, and instruct me to report it back to the Senate with the recommendation that it do pass."

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred

House bill No. 608, entitled:

"An act for the relief of S. S. Randall, William Walker, J. W. Gaines, W. W. Parr, John W. Stevens, L. O. Starkie, S. W. Bettijohn, O. B. Robinson, E. J. Hughes, J. S. Storkied, and the relief of such parties by whom and through whom they hold," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims to whom was referred House bill No. 607, entitled:

"An act to relinquish to W. T. Peery of Cooke county, Texas, the right and interest of the State of Texas to certain lands in said county," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims to whom was referred:

"Petition of the New York, Texas and Mexican railroad company asking that a law be enacted authorizing the issuance to them of 416 sections of lands," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie on the table for the want of time.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

BY SENATOR FIELD:

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 342, being

"An act to prescribe the time of holding court in the twenty ninth judicial district," and find the same correctly enrolled, and have this day, at — o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 250, being

"An act to amend chapter 4, title 29, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 1199a," and find the same correctly enrolled, and have this day, at — o'clock a.m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 290, being

"An act amendatory of and supplementary to an act entitled 'an act to incorporate the city of Galveston, and to grant a new charter,' approved August 2, A. D. 1876, and amended April 5, 1881, March 7, 1883, and February 26, 1885, by adding thereto title No. 13, authorizing the construction of sea walls and breakwaters, and for that purpose authorizing to exercise the right of eminent domain, the issuance of bonds and the levy of a tax, and granting in aid of said works certain rights and privileges in and to the land upon the gulf shore opposite said city from the southwest corner of the city league of the east end of Galveston island," and find the same correctly enrolled, and have this day, at — o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled

Bills have carefully examined and compared Senate bill No. 188, being:

"An act to amend an act to amend Article 4761, of the Revised Civil Statutes of the State of Texas, approved, April 24, A. D., 1879, and find the same correctly enrolled, and have this day, at — o'clock, a. m., presented the same to the Governor for his signature.

FIELD, chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed the following bills:

Substitute House bill No. 241.

"An act to prescribe the times when the district courts of the eighth judicial district shall be held, and to repeal all laws in conflict therewith."

Senate bill No. 128.

"An act to authorize counties, cities and towns to compromise and adjust certain bonded indebtedness, and to provide for the levy and collection of taxes to pay the interest and sinking fund."

House bill No. 500.

"An act to create Article 527a of chapter 6, title 15, of the Penal Code of Texas, for the purpose of defining and punishing the offense of employing and decoying away minors from their parents."

Substitute Senate bill No. 200.

"An act to authorize the holders and owners of patents issued to lands in Greer county and other reservations to surrender their patents for cancellation and to authorize the commissioner to issue new certificate in such case;" by ayes 60, nays 26, with amendments.

Senate bill No. 122.

"An act to amend Article 1985, chapter 17, title 37, of the Revised Civil Statutes of the State of Texas."

Senate bill 116.

"An act to amend title 20, of the Revised Civil Statutes of the State of Texas," by adding another chapter thereto, to be styled chapter 14, with amendment."

Also,

That the House refused to recede from its amendment to Senate joint resolution No. 3, proposing the submission of an amendment to section 12, Article 8, of the Constitution of the State of Texas," asks for a committee

of free conference, and that Messrs. Browning, Prendergast and Groce have been appointed as such committee, upon the part of the House.

WILL LAMBERT,  
Chief Clerk, House of Representatives.

SENATOR WOODWARD.

Called up the motion entered by Senator Armistead to reconsider the vote by which

House bill No. 112, was passed.

On motion of Senator Woodward, the motion to reconsider was laid on the table.

Senate joint resolution No. 26,

"To amend Article No. 5, of the Constitution of the State of Texas," was laid before the Senate and read third time.

SENATOR TERRELL

Offered the following amendment:

"And at said election those desiring to vote for said amendment shall have written or printed upon their tickets the words 'for amendment in Article 5, relating to the Judiciary,' and those desiring to vote against said amendment shall have written or printed upon their tickets the words 'against amendment to Article 5, relating to the Judiciary.'"

The amendment was adopted by the following vote:

YEAS—27.

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	MacManus,
Davis,	Pope,
Douglass of G,	Simkins,
Douglass of J,	Stinson,
Field,	Terrell,
Garrison,	Woods,
Glasscock	Woodward,
Gregg,	

NAYS—none.

ABSENT—2.

Burges,	Frank,
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The resolution passed by the following vote:

## YEAS—23.

Abercrombie,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Davis,	Pope,
Douglass of G,	Simkins,
Field,	Stinson,
Garrison,	Terrell,
Glasscock,	Woods,
Gregg,	Woodward.
Harrison,	

NAYS—none.

## ABSENT—4.

Burges, Douglass of J,  
 Claiborne, Frank  
 The Senate concurred in House  
 amendments to  
 Senate bill No. 91.  
 "An act to amend Article 849, chap-  
 ter 1, title 10, of the Code of Criminal  
 Procedure of the State of Texas."  
 By leave:

## SENATOR ARMISTEAD

Introduced a bill to be entitled,  
 "An act to amend Article 506, Re-  
 vised Civil Statutes of Texas, relating  
 to the incorporation of towns and vil-  
 lages."

Referred to Judiciary Committee  
 No. 1.

## SENATOR HOUSTON

Entered a motion to reconsider the vote  
 by which Senate bill No. 247 was lost.

## SENATOR SIMKINS

Sent up the following privileged re-  
 port:

COMMITTEE ROOM. }  
 AUSTIN, March 28, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed  
 Bills have carefully examined and com-  
 pared Senate joint resolution No. 17.

Senate Joint Resolution No. 17  
 "To amend section 4, Article 6, of  
 the Constitution of the State of  
 Texas," and find the same correctly  
 engrossed.

SIMKINS, acting chairman.

Senate joint resolution No. 17,  
 "To amend section 4 Article 6 of  
 the Constitutions of the State of  
 Texas" was laid before the Senate and  
 read third time.

## SENATOR POPE

Moved to strike out the words at the  
 end of section 2 "but not otherwise" and  
 add "and in such counties as the Leg-  
 islatre may deem advisable."

## SENATOR POPE

Spoke in favor of the amendment and  
 it was adopted by the following vote:

## YEAS—26.

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of J,	Stinson,
Garrison,	Terrell,
Glasscock,	Woods,
Gregg,	Woodward.

NAYS—none.

## ABSENT—3.

Douglass of G, Frank.  
 Field,

## SENATOR HARRISON

Moved to strike out "shall" and insert  
 "may," just before the registration  
 clause.

Adopted by the following vote:

## YEAS—27.

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of J,	Stinson,
Douglass of G,	Terrell,
Garrison,	Woods,
Glasscock,	Woodward.
Gregg,	

NAYS—none.

## ABSENT—2.

Field, Frank.

The resolution passed by the follow-  
 ing vote:

## YEAS—25.

Abercrombie,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Claiborne,	Simkins,
Davis,	Stinson,
Douglass of J,	Terrell,
Garrison,	Woods,
Glasscock,	Woodward.
Harrison,	

## NAYS—1.

Gregg.

## ABSENT—3.

Douglass of G,	Frank.
Field,	

On motion of Senator Douglass of Jefferson,  
The Senate went into executive session.

## IN THE SENATE.

On motion of Senator Woods,  
The confirmations of executive session were ordered printed in the Journal, and it was ordered that the Governor be notified of the same.

(For confirmations see supplement.)

Senate bill No. 299,

"An act to validate deeds and other instruments of writing made by the husband, acting under a power of attorney from the wife," was laid before the Senate and read second time.

SENATOR WOODWARD

Moved to,

Amend by striking out the word "is" in line 2, section 2, and insert the word "are."

Adopted.

SENATOR POPE

Moved to

Amend by adding in line 9, section 1 after the word 'writing' "which is" and strike out the word "and." and insert the word "or."

Adopted.

On motion of Senator Lane,

Senator Frank was excused for yesterday and to-day on account of sickness.

(Senator Houston in the chair.)

SENATOR ABERCROMBIE

Moved to

Amend by adding at the end of section 1, the following: "Provided, further, that the provisions of this act shall not affect any suit now pending in which the wife is controverting the validity of such power of attorney or title acquired thereunder."

Adopted.

SENATOR GREGG

Moved to

Amend by striking out the word "heretofore," in line 3.

SENATORS TERRELL, CALHOUN AND  
M'DONALD.

Opposed the amendment and

SENATOR GREGG

Withdrew is.

SENATOR STINSON

Opposed the bill.

It was lost by the following vote.

## YEAS—11.

Calhoun,	McDonald,
Claiborne,	MacManus,
Glasscock,	Pope,
Gregg,	Simkins,
Jarvis,	Woodward.
Knittle,	

## NAYS—14.

Abercrombie,	Garrison,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Lane,
Camp,	Stinson,
Davis,	Terrell,
Douglass of J,	Woods,

## THE PRESIDENT

Gave notice of signing the following Senate bills:

Senate bill No. 188,

"An act to amend an act to amend Article 4761. of the Revised Civil statutes approved April 24, 1879."

Senate bill No. 250,

"An act to amend chapter 4, title 29, of the Revised Civil Statutes of the State of Texas by adding thereto Article 1199a."

Senate bill No 290.

"An act amendatory of and supplementary to an act entitled 'an act to incorporate the city of Galveston, and

to grant a new charter,' approved August 2, 1876, and amended April 5, 1881, March 7, 1883 and February 26, 1885, by adding thereto title No. 13, authorizing the construction of sea walls and break waters, and for that purpose authorizing the exercise of the right of eminent domain, the issuance of bonds and the levy of a tax, and granting in and of said works certain portions of the public domain, and certain rights and privileges in and to the land upon the gulf shore opposite said city, and from the line of ordinary high tide to the 8 foot curve under the waters of the gulf."

And

Senate bill No. 342.

"An act to prescribe the times of holding court in the twenty-ninth judicial district."

SENATOR HARRISON.

Moved to adjourn till half past 2 o'clock, p. m.

SENATOR POPE

Moved to adjourn till 3 o'clock p. m.

The last motion was put first and adopted, and

The Senate adjourned till 3 o'clock, a. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called,

Quorum present.

THE PRESIDENT

Referred

House bill No. 500, to Judiciary Committee No. 2.

And

Substitute House bill No. 241, to Committee on Judicial Districts.

On motion of Senator Bell,

The Senate concurred in House amendments to

Senate bill No. 128.

"An act to authorize counties, cities and towns to compromise and adjust certain bonded indebtedness, and to provide for the levy and collection of taxes to pay the interest and sinking fund.

On motion of Senator Burney,

The Senate concurred in House amendments to

Senate bill No. 116.

"An act to amend title 20, of the Revised Civil Statutes by adding another chapter thereto, to be styled chapter 14."

On motion of Senator Woods,

The Senate refused to recede from its amendments to House bill No. 89,

"An act to amend an act passed at the regular session of the Eighteenth Legislature, and approved April 18, 1883, entitled 'an act to amend Article 430, of section 1, and to repeal section 2, of an act entitled an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create Article 462½, and to repeal Article 430 of chapter 5, title 13, of the Penal Code of the Revised Statutes for the protection of fish and game,' approved March 15, 1881," and asked for conference committee.

THE PRESIDENT

Appointed Senators Woods, Simkins and Douglass of Jefferson on said committee

On motion of Senator Glasscock,

The Senate concurred in House amendments to

Substitute Senate bill No. 200,

(Known as the Greer county land bill.)

(Senator Pope President pro tem in the chair.)

On motion of Senator Garrison,

House bill No. 355,

"An act to create a bureau of agriculture for the State of Texas, and to add it to the Department of Insurance Statistics and History, to properly designate said department and its head, and to prescribe the duties belonging to it relating to agriculture," was laid before the Senate and read second time with committee amendments.

On motion of Senator Armistead,

The committee amendments were adopted,

SENATOR GARRISON

Moved to

Amend by adding at end section 7, "the near approach of the close of the session, creates a public necessity and emergency demanding the suspension of constitutional rule requiring bills to be read on three several days, and they are so suspended."

Adopted.

The bill passed to third reading.

On motion of Senator Garrison, The constitutional rule was suspended

and the bill was placed on its third reading and final passage by the following vote:

YEAS—22

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	Pope,
Davis,	Simkins,
Douglass of G,	Stinson,
Garrison,	Terrell,
Glasscock,	Woods,
Gregg,	Woodward.

ABSENT—6.

NAYS—none.

Camp,	Field,
Claiborne,	Knittle,
Douglass of J,	MacManus,

The bill was read third time and passed.

SENATOR ABERCROMBIE

Asked to have the printed Journal of yesterday corrected to show that Senate bill No. 281 (and not House bill 381) was reported from the House with the information that the House had adopted the free conference committee report thereon.

Journal corrected.

THE PRESIDENT

Gave notice of signing.

House bill No. 31.

"An act to require railroads to pay their employees promptly, and to prescribe a penalty for failure to so pay them," and

Substitute House bill No. 257.

"An act to amend Article 378, chapter 6, title 11, of the Penal Code of the State of Texas, and to add Article 378a, 378b, 378c, 378d, 378e and 378f to said chapter and title, prohibiting the unlawful selling of intoxicating liquors, and providing rules of evidence therefor."

The following message was received from the house.

HOUSE OF REPRESENTATIVES, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 174.

"An act to amend section 1, of an act entitled 'an act prescribing and fixing the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations doing business within this State, and to provide the mode of serving process on such corporations or associations,' approved March 31, A. D., 1885," with amendments

WILL LAMBERT,

Chief Clerk House of Representatives.

On motion of Senator Houston,

House bill No. 548,

"An act to amend Article 4333, of the Revised Civil Statutes, as amended by an act approved March 30, 1881," was taken up, read second time and passed to third reading.

On motion of Senator Houston,

The constitutional rule requiring bills to be read on three several days was suspended, and the bill was placed on its third reading and final passage by the following vote:

YEAS—25.

Abercrombie,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of G,	Stinson,
Garrison,	Terrell,
Glasscock,	Woods,
Gregg,	Woodward.
Harrison,	

NAYS—none.

ABSENT—1.

Camp,	Field.
Douglass of J,	

The bill was read third time and passed.

(The President in the chair.)

Substitute House bill No. 1.

"An act to amend sections 36, 42, 45, 48, 57, 61, 62, 63, 66 and 71 of an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, of title 78 of the Revised Civil Statutes of Texas as refer to public free schools outside of incorporated cities and towns, assuming or having assumed control of their public free schools, and all laws and parts of laws



in conflict with this act,' passed by the Eighteenth Legislature at its special session in 1884, and to further amend said act by adding thereto a new section, to be known as section 43a, providing for county superintendents of public instruction in certain cases, and defining their duties and fixing their compensation," was laid before the Senate as unfinished business, with an amendment of Senator McDonald and an amendment by Senator Gregg pending.

The amendment of Senator Gregg was lost.

The amendment of Senator McDonald was adopted.

#### SENATOR GLASSCOCK

Moved to amend section 43a, on page 8, line 20, by adding after the word "annum," the following words: "He shall have authority to administer all oaths necessary for the proper discharge of all the duties required of him."

Adopted.

#### SENATOR LANE

Moved to

Amend by striking out section 43a.

Lost by the following vote:

YEAS—5.

Burges,	Houston,
Claiborne,	Lane.
Garrison,	

NAYS—20.

Abercrombie,	Jarvis,
Bell,	Knittle,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Davis,	Simkins,
Douglass of G.	Stinson,
Glasscock,	Terrell,
Gregg,	Woods,
Harrison,	Woodward.

ABSENT—3.

Armistead,	Field,
Douglass of J,	

#### SENATOR GARRISON

Moved to amend on page 8, in line 5, by inserting after the word "act," the following: "And in addition to his other duties, he shall perform the duties and receive the fees prescribed in

sections 48 and 56, for the county board of examiners.

Adopted by the following vote:

YEAS—15.

Abercrombie,	Jarvis,
Armistead,	Knittle,
Claiborne,	McDonald,
Davis,	MacManus,
Douglass of G,	Pope,
Garrison,	Simkins,
Gregg,	Stinson.
Harrison,	

NAYS—10.

Bell,	Glasscock,
Burges,	Lane,
Burney,	Terrell,
Calhoun,	Upshaw,
Camp,	Woods.

ABSENT—3.

Douglass of J.	Houston,
Field,	

#### SENATOR MACMANUS

Moved to

Amend section 75 by adding after "Freestone," in line 3, page 7, "Frio,"

Adopted.

#### SENATUR HARRISON

Moved to reconsider the vote by which the amendment of Senator Garrison was adopted.

Adopted.

The amendment was then put and lost.

#### SENATOR POPE

Moved to amend by striking out "Harrison" from list of excepted counties in section 71.

Adopted.

#### SENATOR ARMISTEAD

Moved to amend section 1 by striking out "Bosque."

Adopted.

The bill was passed to third reading. On motion of Senator Burney,

The constitutional rule was suspended, and the bill was placed on its third reading and final passage by the following vote:

YEAS—21.

Abercrombie,	Calhoun,
Armistead,	Camp,
Bell,	Davis,
Burney,	Douglass of G,

Glasscock,  
Gregg,  
Harrison,  
Jarvis,  
Knittle,  
McDonald,  
MacManus.

Pope,  
Simkins,  
Stinson,  
Terrell,  
Woods,  
Woodward.

NAYS—5.

Burges,  
Claiborne,  
Garrison,

Houston,  
Lane.

ABSENT—2.

Douglass of J, Field.

The bill was read third time and passed by the following vote:

YEAS—12.

Abercrombie,  
Armistead,  
Bell,  
Burney,  
Calhoun,  
Camp,  
Davis,  
Douglass of G,  
Glasscock,  
Gregg,

Harrison,  
Jarvis,  
Knittle,  
McDonald,  
MacManus.  
Pope,  
Simkins,  
Stinson,  
Woods,  
Woodward.

NAYS—6.

Burges,  
Claiborne,  
Garrison

Houston,  
Lane,  
Terrell.

ABSENT—2.

Douglass of J, Field.

SENATOR SIMKINS

Sent up the following privileged report:

COMMITTEE ROOM,  
AUSTIN, March 28, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared substitute Senate bill No. 282, being

"An act to amend 'an act to amend Articles 66, 67, 68, 70, 71, 72, 73, 74, 80 and 97 of an act entitled an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879, and to amend Articles 75 and 79, of the Revised Civil Statutes of the State of Texas as amended on April 18, 1879, and to add Article 68a, relating to asylums," and find the same correctly engrossed.

SIMKINS, acting chairman,  
On motion of senator McDonald  
House bill No. 339.

"An act further regulating the manner of taking the testimony of witnesses in civil cases."

Was taken up and read second time with committee amendment.

SENATOR LANE

Moved to consider the bill section by section.

Lost.

SENATOR BELL

Moved to indefinitely postpone the bill and amendment.

SENATORS SIMKINS AND POPE

Opposed the motion.

SENATORS BELL, TERRELL AND CAMP

Spoke in favor of the motion.

The motion to postpone indefinitely was adopted by the following vote:

YEAS—17.

Abercrombie,  
Armistead,  
Bell,  
Calhoun,  
Camp,  
Claiborne,  
Davis,  
Douglass of G,  
Garrison,

Glasscock,  
Harrison,  
Houston,  
Jarvis,  
Lane,  
Stinson,  
Terrell,  
Woodward.

NAYS—9.

Burges,  
Burney,  
Gregg,  
Knittle,  
McDonald,

McManus,  
Pope,  
Simkins,  
Woods.

ABSENT—2.

Douglass of J, Field.

SENATOR BELL

Entered a motion to reconsider the vote by which Senate bill No. 227 was lost.

On motion of Senator Bell,  
The Senate refused to recede from its fourth and eighth amendments to House bill No. 128 and the request of the House that a free conference committee be appointed was acceded to.

THE PRESIDENT

Appointed Senators Davis, Calhoun and Simkins on the committee on the part of the Senate.

## SENATOR HOUSTON

Moved that a conference committee be appointed on substitute Senate joint resolution No. 3, in compliance with the request of the House.

Adopted.

## THE PRESIDENT

Appointed Senators Houston, Armistead and Glascock on the committee on the part of the Senate

On motion of Senator Woods,  
House bill No. 52.

"An act to amend title 95 of the Revised Statutes by adding thereto Articles 4710a, 4710b, 4712a, 4748a, 4763a, and by 4765a and amending Articles 4740, 4744, 4746, 4748 and 4761, so as to provide for a more thorough and efficient assessment of property and the collection of taxes thereon," was taken up and read second time with amendment.

The amendment was adopted, and the bill was passed to third reading.

On motion of Senator Burney,  
House bill No. 387,

"An act to create the counties of Sutton and Will Wilson from the county of Crockett," was taken up and read second time with committee amendment.

## SENATOR BURNEY

Moved that the committee amendment be not adopted.

## SENATORS BURNIEY AND CLAIBORNE

Spoke in favor of the motion.

The motion was adopted and the amendment was lost.

## SENATOR BURNEY

Moved to amend by striking out the word "Will Wilson" wherever it occurs in said bill or caption and insert the word "Schleicher."

## SENATORS BURNEY AND BURGESS

Favored the amendment and it was adopted.

The bill was passed to its third reading.

On motion of Senator Burney,

The constitutional rule was sus-

pending and the bill placed on its third reading and final passage by the following vote:

## YEAS—26.

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of G,	Stinson,
Garrison,	Terrell,
Glascock,	Woods,
Gregg,	Woodward.

## NAYS—none.

## ABSENT—2.

Douglass of J      Field.

The bill was read third time and passed by the following vote:

## YEAS—25.

Abercrombie,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Claiborne,	Simkins,
Davis,	Stinson,
Douglass of G,	Terrell,
Garrison,	Woods,
Glascock,	Woodward.
Gregg,	

## NAYS—none.

## ABSENT—3.

Douglass of J,      Harrison.  
Field,

On motion of Senator Pope,  
House bill No. 283,

"An act to require the Commissioner of the General Land Office to issue to the heirs of James L. Holmes duplicate county warrant for 1,920 acres of land," was taken up, read second time and passed to third reading.

On motion of Senator Woods,

The Senate adjourned till 10 o'clock to-morrow morning.

## SIXTY-EIGHTH DAY.

SENATE CHAMBER, }  
AUSTIN, TEXAS, March 30, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by Chaplain, Dr. Smoot.

On motion of Senator Stinson,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Garrison, Senator Field was excused from yesterday till April 1.

And

SENATOR FIELD

Was excused for last Monday.

On motion of Senator Woods,

Senator Allen was excused for two days.

On motion of Senator Woods.

Was excused for two days on account of important business.

# REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS:

COMMITTEE ROOM, }  
AUSTIN, March 30, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Finance to whom was referred Senate bill No. 351, entitled:

"An act to repeal occupation taxes on drummers or commercial travelers," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time.

BY SENATOR TERRELL:

COMMITTEE ROOM, }  
AUSTIN, TEXAS, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No.

1 to whom was referred Senate bill No. 285, entitled,

"An act to authorize an election for the removal of the county seat of Hardin county," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your committee, Judiciary No. 1, to whom was referred

House bill No. 529, entitled:

"An act to authorize the Governor to order through the proper officials, the institution prosecution or defense of any civil action or suit whenever he deems such course proper for the assertion or defense of any right of the State, and to render said officials such assistance as to him may seem necessary or expedient," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

Bill read first time.

TERRELL, chairman.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 347 entitled,

"An act to authorize town and city councils to secure and protect the safety of persons in school houses, hotels, theatres, halls and other buildings, let or used for public assemblies, by requiring the same to be made, kept and constructed safe and secure against accidents in case of fire," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 350, entitled:

"An act to amend section 24, of an act incorporating the city of Houston, Harris county," approved April 21, 1879," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.